

DRAFT – TO BE APPROVED BY THE BOARD OF SELECTMEN

**TOWN OF DARIEN
BOARD OF SELECTMEN
REGULAR MEETING MINUTES
MAY 3, 2004**

ATTENDANCE: Evonne Klein, First Selectwoman; Linda Santarella; Dr. Joseph Miceli;
Barbara Thorne; Robert F. Harrel, Jr.

STAFF: John Crary, Town Administrator

CALL TO ORDER

The First Selectwoman called the meeting to order at 5:30 p.m.

1ST SELECTWOMAN'S REPORT

First Selectwoman Klein stated that she met with Melissa Weed regarding the funding for Emergency Management. She said the Town of Darien could expect \$69,000. These funds are specifically earmarked to enhance preparedness for weapons of mass destruction rather than funds for equipment. She stated that the State has the staff to administer these funds and that a memo of understanding would be sent to the State prior to the funds being administered. She stated that she would update the Board of Selectmen further.

First Selectwoman Klein stated that, with regard to Noroton Heights Train Station, the painting of the interior is now complete. The benches for the interior are on order and due within the next two weeks. Roof and window replacement will go out to bid shortly. Funding for this will be available July 1st. She stated that to date she has not received the contract from CONDOT but she would be meeting with Ray Cox tomorrow to discuss responsibilities.

With regard to Community Outreach, First Selectwoman Klein stated that she met with Wendy Wennick, the Executive Director of Sterling Glen. She said she spoke at a resident meeting. They talked about collecting a petition requesting sound barriers. During the question and answer period residents asked about the new high school, what was going on downtown and the election. She said it was a really nice visit.

First Selectwoman Klein stated that she and Mr. Harrel attended the dedication of the Challenger Playground on Saturday. She thanked all those involved in completing the project. She said it is really beautiful and encouraged everyone to stop by and visit.

First Selectwoman Klein stated that she attended the SACIA luncheon last week. Mayor Dan Malloy was the Guest Speaker. She said that on last Thursday she attended the Permanent Commission on the Status of Women. She said that if anyone is interested she has legislation as of April 27, 2004 that has either passed, failed or is pending in Hartford with respect to women.

Recognition of Community Members

First Selectwoman Klein stated that Bob Harrel and Linda Brooks were recognized by the Rotary Club for their outstanding Community Service and received the Paul Harris Fellow Award. She congratulated Mr. Harrel. She said that C. Michael Armstrong received the Social Justice Hero Award from Norwalk Community College.

Hot Topics

First Selectwoman Klein stated that she is still receiving e-mails regarding the proposed Skate Park at Weed Beach. She asked a representative from Parks and Recreation to address this matter. She stated that most of the e-mails that she received were in opposition to the Skate Park. She said she probably received one in favor of the Skate Park. She stated that the other e-mails she received were from citizens expressing their concerns over the expansion of Casey Field, which include: tax dollars, intensity of use, overcrowding, parking and removal of trees. She said that she received a letter from a former resident with regard to restrictive beach passes.

Up & Coming

First Selectwoman Klein said that on Friday evening there would be a League of Women Voters celebration for their anniversary. There will also be a Norwalk Firefighters Dinner on Friday night. On May 10, 2004, there will be an RTM meeting at which time they will be voting on the budget. First Selectwoman Klein stated that she intends to address the RTM that evening. Next Wednesday afternoon she will be meeting with the members who are concerned with the sound barriers. On May 18, 2004, First Selectwoman Klein will attend a meeting in New Haven regarding the Railroad Bridge Project. The start date for construction on the Railroad Bridge is scheduled June 7, 2004. First Selectwoman Klein stated that she plans on going door-to-door downtown this month to speak with business owners. She said that there are other things scheduled this week with members of the community as well.

ADMINISTRATIVE OFFICER'S REPORT

Mr. Crary stated that several weeks ago a question was raised with regard to building permits and whether they were actually getting on to the Tax Roll. He said that in order to check on this, an auditor was brought in to check on the building permits going back to 1997. There have been approximately 5,600 building permits issued since 1997 through 2004. He stated that there were 2,300 building permits for substantial size jobs issued over the last 7 years. The auditor completed his job last week. He determined that there were 254 building permits issued for substantial type improvements that did not get on the assessment roll. These have been reviewed to see what action should be taken. Mr. Crary stated that the decision was made to make a correction to this year's Grand List. He said a letter would be sent to each of the 254 property owners with a note that there is going to be a change in their assessment as a result of this determination. He said this would give them an opportunity to dispute or provide information as to why the value was incorrect. The Board of Appeals will hold special meetings for anyone who would like to file a grievance

on their assessment. Mr. Crary said that this process would begin tomorrow and go through early June. He stated that he expects to have this completed in time for this year's tax bills, which are due to go out in July.

Dr. Miceli asked of the 254 permits how many had Change Orders. Mr. Crary stated that he would have to say that most of them had C.O.'s.

NEW BUSINESS

a) Appointment of Town Assessor

First Selectwoman Klein read the resolution as follows:

Whereas, due to the resignation of Mary Anne Obuchowski as Town Assessor a vacancy in this position has been created, and

Whereas, in accordance with §44(a) of the Code of Ordinances of the Town of Darien, the Town must appoint an assessor to carry out the duties and responsibilities of this Office, and

Whereas, following a process including the solicitation of applicants from across the state, interviews by a screening committee and final interviews conducted by the members of the Board of Selectmen, Anthony Homicki of Newington, Connecticut, has been selected to fill the vacancy in the position of Town Assessor; now therefore be it

Resolved, that Anthony Homicki is hereby appointed as Assessor for the Town of Darien to fill the unexpired term of Mary Anne Obuchowski that will expire on November 12, 2006.

**** MS. THORNE MOVED TO ACCEPT THE RESOLUTION.**

**** DR. MICELI SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

First Selectwoman Klein stated that Mr. Homicki expressed his regrets for being unable to attend the meeting tonight. Mr. Crary stated that Mr. Homicki has been in the profession for almost 30 years. He has been in Newington for the last 17 years. Prior to that, he was in the Town of Enfield. Mr. Homicki began his career in the City of Hartford in the 1970's in the field of Assessment. Mr. Crary stated that the candidates that were interviewed were excellent and he was very pleased with the group they had to choose from. Mr. Harrel said that he is satisfied with the candidate that was chosen. He stated that Mr. Homicki is a very substantial and worthy candidate.

b) Meet with Representatives of the Parks and Recreation Commission

First Selectwoman Klein welcomed the members of the Parks and Recreation Commission. She stated that two of the members are newly elected. She stated that the Board is here to hear comments from the Parks and Recreation Commission. Also, the Board members might have questions for the Commission as well. A Parks and Recreation representative stated that there was a meeting on Wednesday and there was a vote to possibly use Weed Beach for a Skate Park. She stated that she e-mailed local papers a summary of the meeting, which included talk about Pear Tree and the sewer and parking. There was some discussion with regard to work being done at Weed Beach. Ms. Santarella stated that she is concerned with the amount of dirt and huge boulders at the beach, the blocking of handicap parking spaces and the operation of the backhoe. The representative from Parks and Recreation said that she would speak with Ms. Swiatek regarding this matter. Ms. Thorne thanked the representative for the careful, factual letter to the newspapers.

First Selectwoman said that it would be a good idea to set up a meeting with the citizens of the Town in order to discuss the pool and other concerns. She stated that it is a community need in the Town of Darien.

Dr. Miceli asked if Parks and Recreation had any big capital projects for next year. A representative from Parks and Recreation referred to the 5-year Phase-in plan of Weed Beach. There was discussion with regard to lights being installed at Tilley Pond Park.

Ms. Thorne stated that she is concerned that Parks and Recreation's budget would get cut and not be able to complete projects. She said that she would ask that Parks and Recreation be sensible as to what they are doing. She said the projects are vitally important part to the Town because it is what people can see and use.

First Selectwoman Klein stated that the Town has a great opportunity this year to get these projects going so that the public can enjoy them. She said these are addressing quality of life issues and community expectations. She said the Town would be doing the boat ramp.

c) **Meet with RTM District and Committee Chairs**

District 1 – The representative from District 1 stated that the biggest concern is Casey Field. She stated that perception is very important. She said she thinks that people feel that by not having a public hearing they are not being heard and that things are being done without them being aware. She said it is important to have as much communication as possible. There was discussion with regard to sidewalks and speed bumps at Brookside.

District 2 – The representative from District 2 stated that there are 3 main issues of concern. There was discussion with regard to the sewer at Goodwives. There are questions regarding whether or not there will be a mandatory sewer connection and inquiry was made as to how long it would take to finish the job. She said that people wanted to know what avenues they should take to find out answers with regards to these questions. There was also discussion with regard to traffic congestion on I-95, the Post Road and Route 136. Comment was made regarding the fact that there are no sidewalks along Route 136 making it very dangerous. First Selectwoman Klein said there is a plan in place for these issues. It is estimated that the time to finish the sewer project would probably be about 11 months. First Selectwoman Klein stated that the Police Department is waiting on their permits from the State. She said they have purchased pedestrian crosswalk signs and painting of the crosswalks will begin soon. First Selectwoman Klein stated that she

would be happy to meet with some of the representatives with respect to these issues. She stated that the Police Commission should be hearing these issues as well since the Board of Selectmen has no authority on these matters.

District 3 – The representative stated that the main concern in their district is the backup of traffic at Middlesex School. First Selectwoman Klein stated that there are real safety issues in the way the Middle School is set up. She suggested using funds in the budget to hire a Traffic Consultant at a fee of \$7,500, provided the RTM approves this.

District 4 – The representative for District 4 stated that the main concerns of the district had to do with the Skate Park, which had just been satisfied. There was discussion with regard to the size of the cut of the Education Budget. She stated that many people in the district are very upset about it.

District 5 – No presentation.

District 6 – No presentation.

Committee Chairs

There was discussion with regard to the situation at Holly Pond and the fact that the winter is damaging the dam. First Selectwoman Klein stated that this item would be put on a future agenda for consideration.

Parks and Recreation

The representative for Parks and Recreation stated they would like to have some projects finished that have been started, such as the lighting at Tilley Pond. She said that the Parks and Recreation Department is very frustrated with the timing of the budget coming out. She stated that there is only one week left before there is a vote on the budget. She stated that she has not received the warning yet and does not know when it was mailed out. She said that 5 days is not enough time to go over the material in time for the meetings. The representative stated that it is very frustrating trying to get a quorum. She said that out of the letters that were sent to the Committee members 3 people out of 12 returned telephone calls stating that they would not be able to attend tonight's meeting. She intends to bring this before the Rules Committee but also wanted to bring the matter up here tonight.

Regarding the budget, Mr. Crary stated that there just is not enough time between the time the Board of Finance adopts the budget and when the RTM is going to vote on the budget to produce the budget in the size and quantity desired. He said the only thing that could be done is to move the RTM budget vote to later in May. He said the Board of Finance approved the budget two weeks ago tonight and they were only able to use the printer on Wednesday of that week. It took 10 days to produce 160 copies, which were received today. He said there is no way to do it faster.

Planning & Zoning

The representative for Planning & Zoning stated that there are 4 primary issues. With regard to Cherry Lawn and Casey Field she said that people are asking why she has not ordered a mandatory referral and asked if this is something that her Committee could request. She said that there is a big problem with

getting a quorum for the Planning & Zoning Commission. There are also questions with regard to the status of open space.

First Selectwoman Klein stated that the property has not been acquired yet and that she and Mr. Crary will be taking a field trip and meeting with some of the neighbors. She said that there should be more discussion with regard to the quorum issue. First Selectwoman Klein stated that Planning & Zoning could not order a mandatory referral and she could not order one. She stated that this particular project did not require a mandatory referral.

Health & Social Services

The representative stated that she did not receive any material from United Way at all. She stated that the process for having a quorum is lacking on her Committee and that there needs to be longer lead-time on issues on the agenda. She also stated that the Rules Committee needed to be reviewed.

First Selectwoman Klein stated that 1st Selectwoman's Night Out would be held on May 18, 2004. She invited the representatives to attend so that they could discuss these items further.

Ms. Thorne stated that the process of finding out where the materials originate from needed to be looked at. She said the Committees needed to work together on generating so that everyone will understand.

d) Discussion and take action on proposed changes to lease with the Darien Boat Club

Mr. Harrel stated that there was not a copy of the plot plan in the package to the Board members. He said it is just referred to. Mr. Crary stated that a plot plan was distributed to the Board last year. He said the Board approved the lease and it went through the RTM. He said the only change is the addition of Paragraph 7, which states: "In return for the Town leasing to the Corporation additional space, the Corporation agrees to monitor the public dinghy storage area and report any inappropriate activity to the Town."

First Selectwoman suggested tabling this item until the next meeting. Ms. Santarella suggested that the Board go out and look at this again. She stated that if she had to vote on this again it would be against the lease. She said that there is too much land being given to the Boat Club. Issues regarding the expansion of the deck also need to be discussed.

Harbor Master Bob Price stated that it is an awkward situation. There are State regulations that allow people outside of the Town to moor their boats. He stated that the area outside of the fence could be used by anyone. He said that it is very problematic.

**** MR. HARREL MOVED TO TABLE THIS ITEM UNTIL THE NEXT MEETING.**
**** DR. MICELI SECONDED THE MOTION.**
**** MOTION PASSED UNANIMOUSLY.**

e) Public Works Department

- Former Tennis Courts at Cherry Lawn

Mr. Steeger stated that the Department looked at the ground underneath the tennis court at Cherry Lawn Park. He stated that it was found not to be suitable as a base. He stated that upon his visual inspection it is his opinion that the materials there do not exhibit acceptable base material and it is his recommendation that if a court be built on the site, that at least 6 inches of cut stone or other processed aggregate be placed under it. He said that in his opinion the base that is there cannot support a tennis court.

- Cost of Spring Cleanup

First Selectwoman Klein stated that citizens have expressed their concerns about Spring Cleanup and the mess that it makes around Town. She asked what else the Public Works Department could do other than picking up these items along curbside to make this a better service for the community. She said the total cost for the cleanup is \$35,652. Mr. Harrel said that there is a lot of material being found along the side of the road.

- Cost of Fall Leaf Collection

First Selectwoman Klein said that the Board would revisit this issue at a later time.

EXECUTIVE SESSION

- ** MR. HARREL MOVED THAT THE BOARD OF SELECTMEN GO INTO EXECUTIVE SESSION TO INTERVIEW WILLIAM JESSUP FOR MEMBERSHIP ON THE FIVE-MILE RIVER COMMISSION.**
- ** DR. MICELI SECONDED THE MOTION.**
- ** MOTION PASSED UNANIMOUSLY.**

The Board went into Executive Session at 7:15 p.m.

REGULAR MEETING (CONTINUED)

First Selectwoman Klein reconvened the Regular meeting of the Board of Selectmen at 7:30 p.m.

f) 2004/2005 Budget Discussion Review

Ms. Santarella stated that work on the budget is a grueling process. She said that members of the RTM are not taking it seriously. There was discussion with regard to the budget process review and the printing of the budget. There was discussion about having the printing done at Kinko's.

First Selectwoman Klein suggested scheduling a meeting with the Board of Education, Planning & Zoning and the Board of Finance with regard to the budget.

g) WEB Policy

There was discussion about placing forms, telephone numbers and e-mails on the Town Web site. Mr. Crary suggested giving Committee members the option of having their home addresses and telephone numbers listed on the Web.

h) **Agenda Review of Upcoming Issues**

First Selectwoman Klein stated that she spoke with the Friends of Weed Beach on Saturday. She said that they would like to come and do a presentation for the Board. She stated that she would like to give Cleanup Day to the Beautification Commission. She said she feels that it is their responsibility.

Ms. Thorne said that another item to be added to the agenda at some point is the Subcommittee that she has been made Chair. She said the Committee met and that she and Maryann Costello have been meeting via telephone. She said they are looking at a design for a monument for the circle in front of City Hall.

First Selectwoman Klein stated that Purple Heart Day is scheduled for August 7, 2004 and they want to dedicate the monument and have a ceremony at that time.

Dr. Miceli suggested that 1 item per month be put on the agenda with regard to Charter Revisions.

i.) **Budget Transfers**

Police Department

This transfer is needed to allow for media advertising of our entry level patrol officer test scheduled for June 12, 2004.

Account No. A0332272 82005 in the amount of \$975 to Account No. A0332212 82007.

Transfer needed to provide the Depart with a set of 2004 Connecticut General Statutes.

Account No. A0332272 82005 in the amount of \$700 to Account No. A0332273 83002.

Parks & Recreation

Additional funds needed for the Department Tree Replacement Program.

Account No. A0775004-84720 to Account No. A0775002-82036 in the amount of \$1,295.

Debt Service

Due to the refunding in January, we had more principal payments than budgeted, but less interest payments. This transfer will correct the situation.

Account No. A1002008-88820 to Account No. A1001008-8810 in the amount of \$84,000.

Account No. A1002008-88822 to Account No. A1001008-88812 in the amount of \$17,727 for a TOTAL of \$101,727.

Mr. Harrel suggested voting on all of these items at one time.

**** MR. HARREL MOVED ALL FOUR ITEMS FOR TRANSFER.
** MS. THORNE SECONDED THE MOTION.
** MOTION PASSED UNANIMOUSLY.**

**** MR. HARREL MOVED TO APPROVE WILLIAM JESSUP AS A MEMBER
OF THE FIVE-MILE RIVER COMMISSION.
** MS. SANTARELLA SECONDED THE MOTION.
** MOTION PASSED UNANIMOUSLY.**

PUBLIC COMMENT

Ms. Santarella asked that it be noted in the minutes that the Board has followed the appropriate legal process and public process with regard to Casey Field.

First Selectwoman Klein asked the Board members to take a look at upcoming meetings.

ADJOURNMENT

**** MS. SANTARELLA MADE A MOTION TO ADJOURN THE MEETING.
** MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Linda L. Custis
Telesco Secretarial Services